

Merchantville, September 23, 2019

A Caucus meeting of Borough Council was held at 7:30 PM, Monday, September 23, 2019. Mayor Ted Brennan presided. Pledge of Allegiance and Silent Prayer were observed. Announcement was made that the meeting had been advertised in accordance with the regulations prescribed by the "Open Public Meetings Act".

ROLL CALL: Council Present: Kidd, Scarpa, Sperrazza, Perno, McLoone, and Brennan. CFO Moules, Clerk Brouse and Attorney Gilligan were present.

PUBLIC –

Ordinance 19-10 removed from agenda this evening.

Marvin Gaskill 102 E. Chestnut – Brush, Weeds, and Tree Ordinance – licensing of tree removal.

Mike McLoone 17 E. Chestnut Avenue. Did the meeting with developer take place?

Project manager was leaving and company is still committed to the Borough. We should be receiving a term sheet. Attorney has it at this time.

T-Mobile Agreement-reduced price

DISCUSSION ITEMS:

OLD BUSINESS

- Redevelopment Area
- Trash and Recycle Collection – letter reviewed and mailed seeking liquidated damages, reintroduce? Discussion for next meeting.

Resolutions approved by consent agenda:

On a motion by Mr. Kidd and a second by Mr. McLoone council approved the following resolutions.

R19-105

RESOLUTION CERTIFYING A LIEN AGAINST CERTAIN PROPERTIES FOR COSTS INCURRED BY THE BOROUGH OF MERCHANTVILLE IN ACCORDANCE WITH THE PROPERTY MAINTENANCE CODE

WHEREAS, in accordance with Chapter 3 of the Code of the Borough of Merchantville entitled the "Property Maintenance Code", notice of noncompliance was sent to the below properties,

WHEREAS, said property owners did not comply with said notice and the Merchantville Public Works Department was ordered to abate the violations; and

WHEREAS, it is the desire of this Governing Body, in accordance with Chapter 60B of the Code of the Borough of Merchantville, to certify said costs incurred by the Merchantville Public Works Department as a lien against the properties; in accordance with Chapter 3 of the Code of the Borough of Merchantville.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Merchantville, County of Camden, State of New Jersey, that the following lien is hereby certified as against the property as noted in accordance with Chapter 3 of the Code of the Borough of Merchantville:

320 W Maple Ave	\$250.00
4 E Maple Ave	\$250.00
200 E Maple Ave	\$250.00
124 Maple Ter	\$250.00
122 Poplar Ave	\$250.00
241 Victoria St	\$250.00
14 Euclid Ave	\$250.00

BE IT FURTHER RESOLVED that the Borough Clerk shall forward a certified copy of this resolution to the owner(s) of the subject property.

BE IT FURTHER RESOLVED that the Tax Collector shall be responsible for collection of the amounts herein certified.

R19-106

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY TO AUTHORIZE GARAVENTA TO RENOVATE THE INCLINED WHEELCHAIR LIFT AT BOROUGH HALL

WHEREAS the Merchantville municipal building is in need of a function inclined wheelchair lift to be in compliance with ADA requirements; and

WHEREAS Garaventa USA Inc, is the proprietary company that that provided a proposal dated September 17, 2019 and will renovate the inclined wheelchair lift within the Borough Hall municipal building; and

WHEREAS there are capital funds available for the amount not to exceed \$32,300.00; and

WHEREAS the Finance Officer has certified to the availability of these funds; and

WHEREAS Garaventa USA Inc, 403 Elmwood Avenue, Sharon Hill, PA 19079 will provide this service;

NOW, THRRERFORE BE IT RESOLVED that the Governing body of the Borough of Merchantville herby authorizes the renovation of the inclined wheelchair lift at the municipal building.

R19-107

RESOLUTION APPOINTING THE MUNICIPAL DRUG ALLIANCE COORDINATOR OF THE BOROUGH OF MERCHANTVILLE

WHEREAS, there is a need for the appointment of a Municipal Drug Alliance Coordinator; and

WHEREAS, the Mayor has submitted the name of Linda Vendome to serve as Municipal Drug Alliance Coordinator;

NOW, THEREFORE, BE IT RESOLVED that the appointment of Linda Vendome is hereby confirmed, and that she is appointed to the position of Municipal Drug Alliance Coordinator of the Borough of Merchantville, County of Camden and State of New Jersey. Effective September 23, 2019; expiring December 31, 2019.

R19-108
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
SUPPORTING A-5450/S-3827 CLARIFYING THE
TELECOMMUNICATIONS INDUSTRY CORPORATE TAX
RESPONSIBILITIES

WHEREAS, A-5450/S-3827 seeks to clarify telecommunications industry corporate tax responsibilities and shield taxpayers from the costs of endless tax court litigation, and

WHEREAS, a misinterpretation of P.L. 1997,c.162 (C.54:10A-3 et al.) has resulted in municipalities facing the cost of litigating Verizon's tax appeals filed for every tax year subsequent to 2009, up to and including the current year, and

WHEREAS, tax court litigation in one municipality took ten years to ensure that Verizon would pay its 2008 business personal property taxes (BPPT), and further litigation will be needed to secure BPPT payments for each subsequent year in which the exemption was claimed, and

WHEREAS, every municipality faces the same prospect of costly annual tax court filings and appeals, adding to taxpayers burden, and

WHEREAS, A-5450/S-3827 would clarify the intent to permanently apply the business personal property tax on local exchange telephone companies that were subject to the BPPT tax as of April 1, 1997.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Merchantville that:

1. That the Mayor and Borough Council of the Borough of Merchantville is does hereby supports A-5450/S-3827, which will clarify the telecommunications industry corporate tax responsibilities.
2. That a copy of this Resolution be sent to the Office of the Governor, Senator James Beach, Assemblyman Louis Greenwald, Assemblywoman Pamela Lampitt, and the New Jersey League of Municipalities.

On a motion of Ms. Scarpa and Mr. Sperrazza council went into private session.

R19-109 Executive Session-Matters of Contract

R19-109
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
AUTHORIZING A PRIVATE SESSION OF COUNCIL

Ms. Scarpa offered the following resolution and moved its adoption:

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Merchantville, County of Camden, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
Matters of Contract
3. It is anticipated at this time that the above stated subject matter shall be made public.
4. This Resolution shall take effect immediately.

Seconded by **Mr. Sperrazza** and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Mr. Kidd	(x)	()	()	()
Ms. Scarpa	(x)	()	()	()
Mr. Fitzgerald	()	()	()	(x)
Mr. Sperrazza	(x)	()	()	()
Mr. McLoone	(x)	()	()	()
Mr. Perno	(x)	()	()	()

Dated: **September 23, 2019**

MOTION TO ADJOURN:

On the motion of Mr. McLoone and second of Mr. Kidd, the meeting was adjourned at 9:05 PM.

Denise Brouse, Borough Clerk